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## Introduction

Latin American countries treat refugees and IDPs in different ways, particularly environmentally displaced persons (EDPs) from environmental degradation or climate change.

There are not regional standard rules, policies, or initiatives to recognise and protect them.

**Brazil has two regimes:** one for refugees (Law 9474/1997) and one for migrants (Law 13445/2017).

Brazil recognises international EDPs, under the 2017 Migration Law. But, IDPs remain invisible, without legal recognition or target policies.

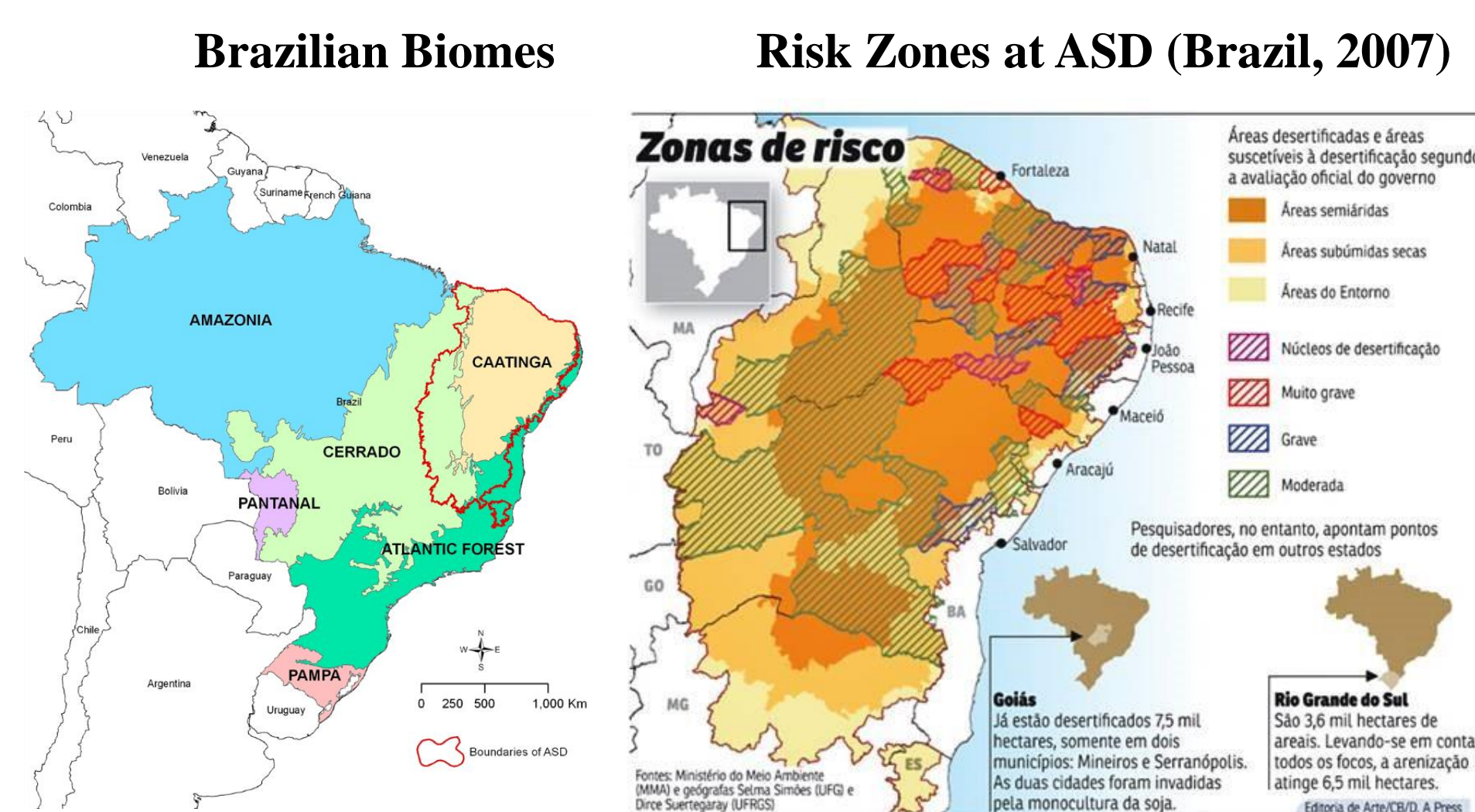
This hybrid regime has led to an unequal and unfair protection, at national and international levels, particularly for those displaced by natural or human disasters, for instance, **drought, storms, land sliding, dams, and conflicts.**

Based on Zetter's full protection (2014), the **research question** is: To what extent do some Latin American countries' regimes for EDPs lead to an unequal and unfair protection, with a focus on Brazil?

The author (2022) has applied Bett's regime stretching at the local implementation level (2010), under a network society communicative model, to recognise them and give due protection.

## Aim

To discuss the effects of the Brazilian law and policy to protect EDPs, particularly by drought, by comparing Brazil with some Latin American countries in order to find Good Practices to be replicated in the region and overseas.



\* **Area:** 1,344,766.64 km<sup>2</sup> (15% of Brazil), being 180,000 km<sup>2</sup> in grave and very grave processes of desertification, in 1,491 municipalities.  
\* **Population** (2010): 34.8m (22,581 - 45% - live in semi-arid areas)  
\* **HDI-M:** 60.09% between low and very low in ASD, with 40% of the poor people of the whole country.

## Method

- Advanced, Qualitative, Explanatory, Bibliographic, and Interdisciplinary **Research**, based on a case-study
- Research Method:** Historical; Comparative; and Inductive (from a case-study to find international Good Practices to be replicated locally).

### Case study: EDPs from the backlands of Brazil Northeast

#### DROUGHTS in Brazil Northeast

\*Natural phenomenon when precipitation is significantly below normal recorded levels (UNCCD). A Multidimensional problem.

\***Types:** Annual (7-8months) and intermittent (7m-4y. Unpredictable)

Period of Time	Number of Droughts	EDPs	Death
15 <sup>th</sup> to 21 <sup>st</sup> Centuries	130	--	--
19 <sup>th</sup> and 20 <sup>th</sup> Centuries	65	--	3 million
20 <sup>th</sup> Century	42	--	--
21 <sup>st</sup> Century (prediction to be the driest in history)	14 so far	--	--
2011-2014	"The Green Drought" 1,415 municipalities affected (90% of semi-arid region)	22 millions (85% of the Brazilian Poor)	--
2019	1,347 (49.02%)drought-related 869 (31.62%)due to prolonged drought	30,000	--
<b>3,982 Official disasters</b>			

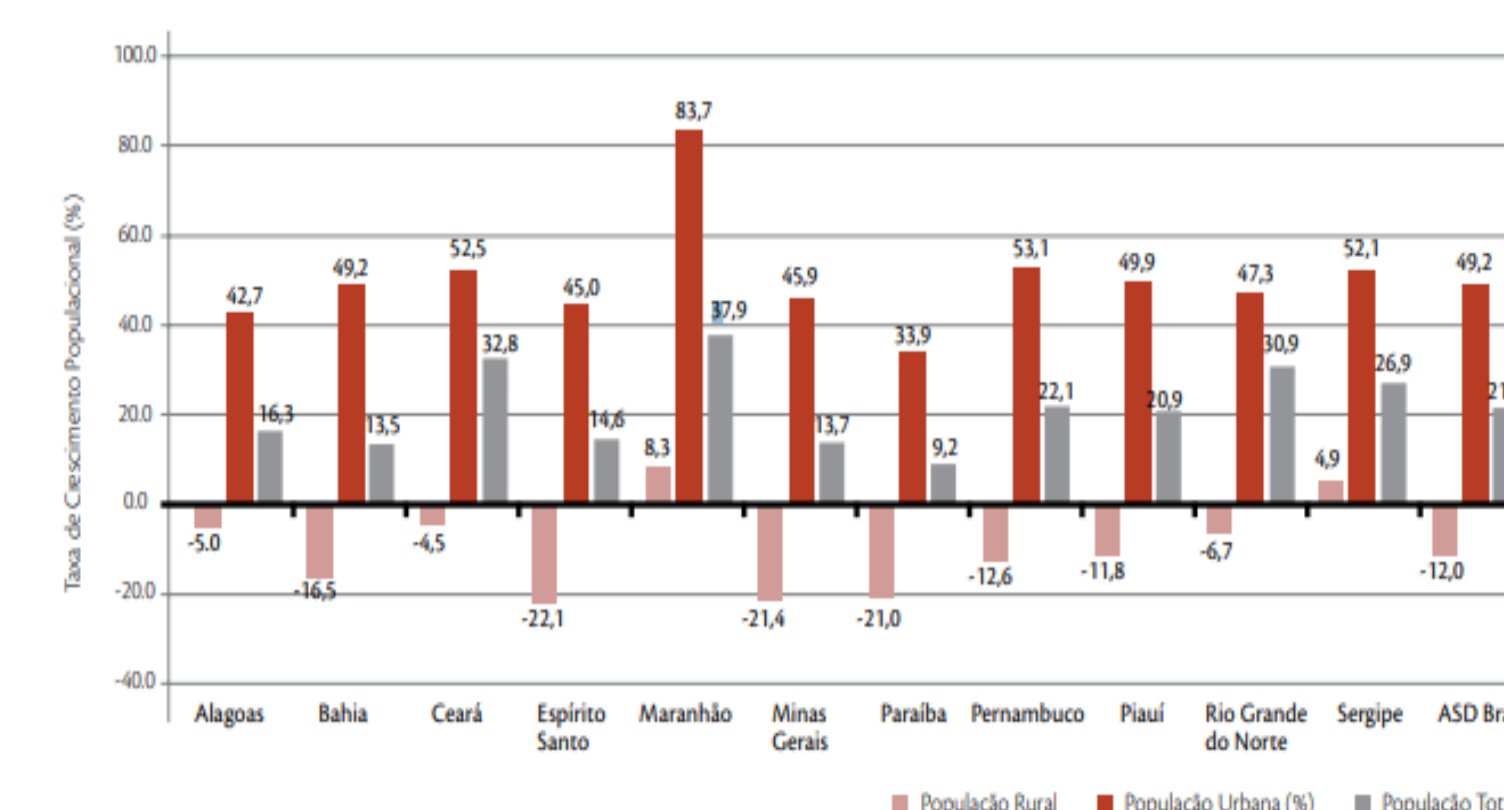
\*Drought included in all Brazilian Constitutions, except in 1937, and in the 2015 National Policy to combat desertification and mitigate effects of drought (nothing about protecting EDPs' Human Rights).

\***Consequences:** environmental, economic, social, and political.

#### HENCE:

- No assistance.
- Politicisation of Drought: a local elite strategy to maintain political privileges, after losing economic power
- "Industry of Drought" with diversion of public resources for private purposes.
- Displacement for survival. A human security issue.

#### Rural and Urban Population Growth Rate in ASD (1991-2010)



The 2000-2010 human Migratory loss in Northeast: -0.26 (-1,698,31)

## Latin American legal and Policy Framework to Protect EDPs

Different terminologies. No consensus

*Environmental Refugees*    *Environmental Migrants*  
*Ecomigrants*    *Climate Refugees*    *Survival Migrants*  
*Environmentally Displaced Persons*

International and Regional Protection of IDPs:

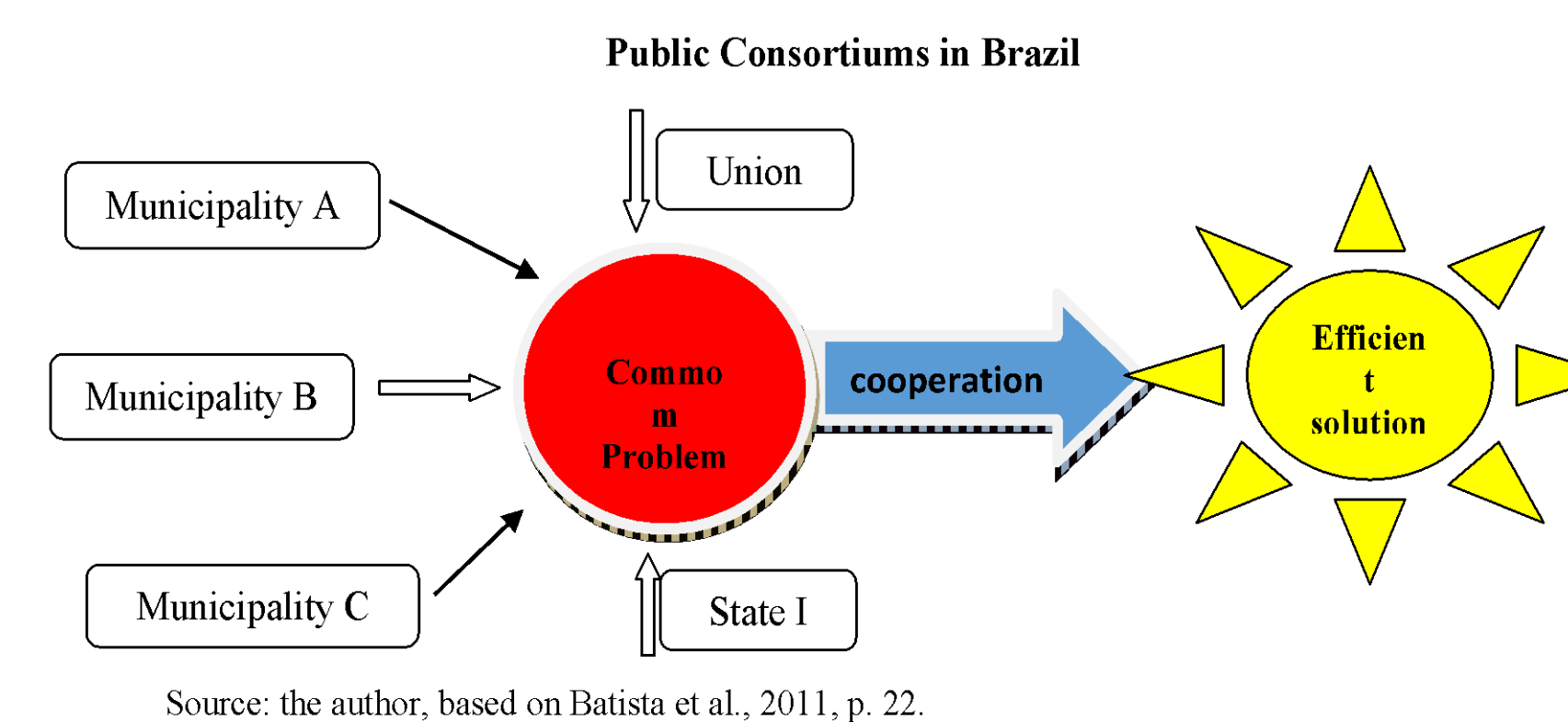
- 1998 UNHCR IDPs' guidelines
- 2019 OAS Resolution on International EDPs.
- Latin American Laws and Policies: Peru (2005); Colombia(2011)
- Latin American Laws: El Salvador (2020); Mexico (2014)
- Latin American National Policies: Guatemala (2003)
- Brazil** has signed all Declarations, but no laws or policies.

Latin American Legal and Policy Framework for International EDPs:

- 2010 Argentina Migration Law: Special Transitory Residents
- 2013 Bolivia Migration Law: Climate Migrants
- 2010 Ecuador Organic Law of Human Mobility: Humanitarian visas
- 2016 Guatemala Decree: Humanitarian visas
- 2011 Mexico Migration Law: Humanitarian visas
- 2017 Peru Decree and 2018 Climate Change Law: Humanitarian Temporary Residence for IDPs.
- Venezuela: Administrative discretion: Social temporal residents to Haitians after the 2010 Earthquake

## Legal and Policy Initiatives to Protect EDPs from the Backlands of Brazil's Northeast

- Public Consortium** through cooperation among poor and powerless municipalities.



Source: the author, based on Batista et al., 2011, p. 22.

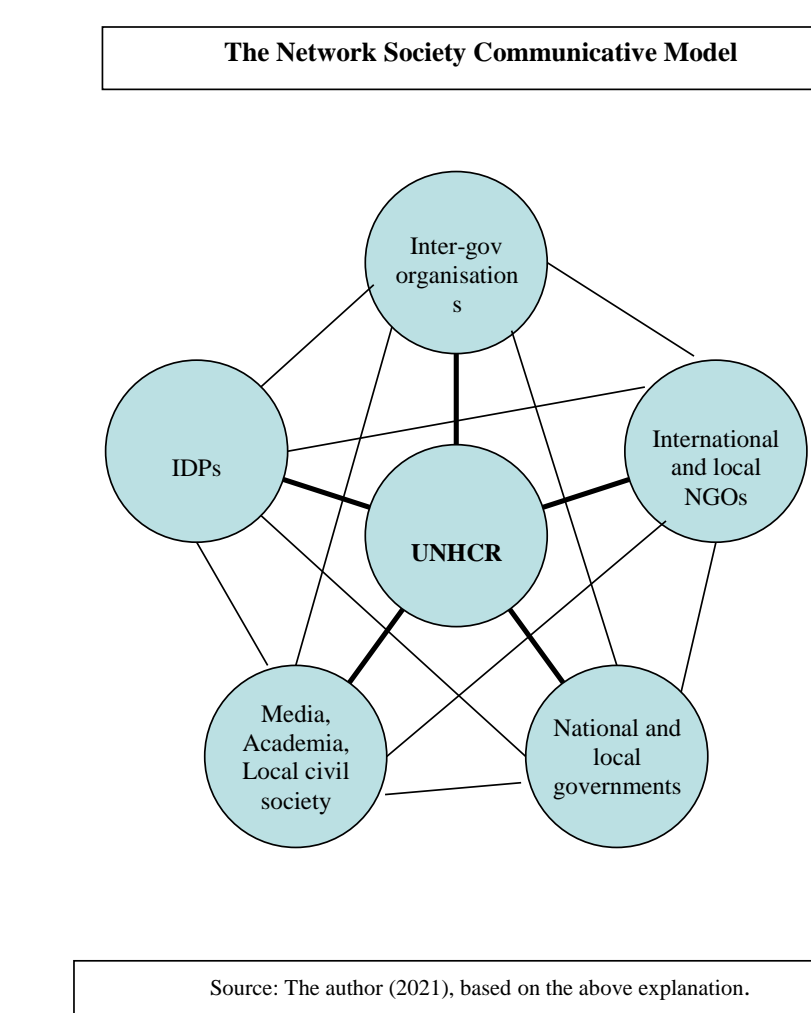
- Policies with measures to focus on EDPs' protection and to attain environmental, human (societal), and economic security through **Cross-Issue Persuasion (CIP)**, to overcome drought, HR violations, and state's omission.

\* **CIP:** conditions under which non-state actors persuade the State to cooperate by issue-linkage (EDPs' protection and security or economic reasons) through Bett's **Regime Stretching (RS)**.

\* Cooperation between different actors through CIP at national level to persuade local actors to cooperate and TO GIVE EDPs AN ACTIVE VOICE on debates, transforming them into active agents of change of their own lives.

## Conclusion

- RS at Local implementation level:** Keep existing structures and expanding their capacity through cooperation
- RS at Institutionalisation Level:** Keep existing social policies, but provide EDPs real access to them
- RS at International Treaties Level:** Entry Visas and Refugee Status, but nothing for local development or return of EDPs in the region



#### NSCM based on

- \* **Castells' Network Society**
- \* **Habermas' Communicative Action**
- \* **Apel's Communication and Argumentation Community**
- \* **Chimni's Dialogical Model:** through regional dialogue
- \* **Betts' Interconnection in Global Governance and Regime Stretching**

## Suggestions

- Irrigation and adequate water reservoirs instead of water trucks
- Micro-credit programmes for small familiar agro-producers
- Social capital formation through empowerment programmes
- Gender empowerment, such as the "*Bolsa Família*" programme
- Access to education (general and directed to local needs)
- Healthcare access and teaching basic care against local diseases
- International and national inspections of local governments to prevent financial resources diversion
- National laws and policies recognising EDPs as IDPs

## HENCE, Brazil needs to fill some gaps to protect its EDPs

- Collect and disseminate data
- Establish mechanisms to implement effective laws and policies
- Be actively involved in international for a
- Apply an integrated approach
- Fund more research on EDPs
- Build capacity and training for local population and other actors

#### Main Reference

PACIFICO, Andrea Pacheco (2022). **Environmentally Internally Displaced Persons in the Northeastern Backlands of Brazil: A Case Study**. Newcastle upon Tyne (UK): Cambridge Scholar Publishing.